

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PEGGY ROIF ROTSTAIN, et al.
on behalf of themselves and all others
similarly situated,

Plaintiffs

and

THE OFFICIAL STANFORD INVESTORS
COMMITTEE,

Plaintiff-Intervenor,

V.

TRUSTMARK NATIONAL BANK, HSBC BANK PLC, THE TORONTO-DOMINION BANK, BANK OF HOUSTON, SG PRIVATE BANKING (SUISSE) S.A., and BLAISE FRIEDLI,

Defendants.

Civil Action No. 3:09-CV-2384-N

JOINT REQUEST FOR CONFERENCE WITH THE COURT

1. For the reasons articulated below, the parties respectfully request that the Court schedule a conference to discuss urgent scheduling matters.

2. On April 21, 2015, the Court issued an Order granting in part and denying in part Defendants’¹ respective motions to dismiss the claims of Class Plaintiffs and Intervenor. [Doc. #

¹ The Defendants are Société Générale Private Banking (Suisse) S.A., Trustmark National Bank, HSBC Bank PLC, The Toronto Dominion Bank, Independent Bank f/k/a Bank of Houston, and Blaise Friedli. Blaise Friedli states that he has been improperly added to the class action, has not been served in the class action, and was not provided the opportunity to move in response to the pending class action complaint.

234]. The answers to the Complaints that were the subject of the Court's April 21, 2015 Order were due on May 5, 2015.

3. On April 30, 2015, Class Plaintiffs served on Defendants their Motion for Class Certification and proposed Second Amended Class Action Complaint. In accordance with the Court's Class Certification Scheduling Order [Doc. # 228], on May 1, 2015, Class Plaintiffs filed with the Court their Motion for Leave to Amend Complaint [Doc. # 238]. Defendants assert that the Class Plaintiffs' proposed Second Amended Class Action Complaint seeks to add a new claim against some of the Defendants and additional factual allegations relevant to the claims against all Defendants.

4. On May 5, 2015, Class Plaintiffs, Intervenor, and Defendants filed an Agreed Motion for Extension of Time to Answer [Doc. # 240], proposing to extend until May 19, 2015 the time for Defendants to answer the Intervenor's Complaints [Docs. # 131, 133], extending until May 19, 2015 the time for Société Générale Private Banking (Suisse) S.A. to answer the Class Complaint [Doc. # 1-5], and extending until 21 days after the Court rules on the Class Plaintiffs' Motion for Leave to Amend the deadline for Trustmark National Bank, HSBC Bank PLC, The Toronto Dominion Bank, Independent Bank f/k/a Bank of Houston, and Blaise Friedli to respond to the Class Complaint.

5. Defendants intend to oppose the Class Plaintiffs' Motion for Leave to Amend Complaint. Under the Court's local rules, Defendants' response to that motion is currently due by May 22, 2014. Depositions of the named plaintiffs, however, are set to begin on May 18, 2015, and continue into June. Defendants are concerned about class certification discovery going forward while there is still uncertainty about the nature of the allegations and claims that

ultimately will be at issue in this case and given the fixed date of October 5, 2015 set by the Court for the final submissions concerning class certification.

6. Counsel for Defendants and counsel for Class Plaintiffs have conferred about these issues and agree that an immediate conference with the Court is appropriate, subject to the Court's convenience, so that the parties may explain their concerns about the scheduling issues and seek input from the Court on the best way to resolve them. The parties can be available either by telephone or in person, whichever the Court prefers.

Dated: May 11, 2015.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2015, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the counsel who have registered with this Court. All others were served a copy via U.S. mail postage prepaid.

/s/ Benjamin D. Reichard

Benjamin D. Reichard